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SPANSION INC. AND SPANSION LLC
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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13

14 SPANSION, INC., et al.,
15 Plaintiffs,
16
17 v.
18 TESSERA, INC.
19 Claimant.
20
21

Case No. C-10-4954 CW

**JOINT STIPULATION AND ORDER
CHANGING THE DATE OF
UPCOMING CASE MANAGEMENT
CONFERENCE AND RELATED DATES**

22 1. WHEREAS, this Court stayed the case known as *Tessera, Inc. v. Advanced Micro*
23 *Devices, Inc. et al*, Case No. C 05-04063 (CW) (the “AMD case”) by its order of May 24, 2007 with
24 respect to International Trade Commission Investigation 337-TA-605 “until the determination of the
25 ITC, including appeals becomes final,” and WHEREAS, on August 5, 2008 the Court ordered that
26 the stay of the AMD case “shall be extended until a determination in the International Trade
27 Commission Investigation 337-TA-649, including appeals, becomes final,” and
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1 2. WHEREAS, this Court issued a Related Case Order on September 11, 2008 in the
2 AMD case finding that the three cases known as, *Siliconware Precision Industries Co., Ltd. et al. v.*
3 *Tessera*, Case No. C 08-03667 RS; *Advanced Semiconductor Engineering Inc. et al. v. Tessera*, Case
4 No. C 08-03726 EMC; and *Chipmos Technologies Inc. et al. v. Tessera, Inc.*, Case No. C 08-03827
5 CW, were related to the AMD case (these three cases are collectively the “Related Cases”); and

6 3. WHEREAS, this Court stayed all proceedings in the Related Cases, to include all
7 claims and counterclaims, by its order of December 19, 2008 “[i]n light of the decision by the
8 International Trade Commission (‘ITC’) granting Tessera’s motion to amend the Complaint and
9 Notice of Investigation adding U.S. Patent No. 5,663,106 to the investigation” known as 337-TA-
10 649 and the stipulation of the parties in the Related Cases; and

11 4. WHEREAS, by its orders of June 11, 2010 this Court subsequently set a Case
12 Management Conference in both the AMD case and the Related Cases for December 14, 2010 at
13 2:00 p.m; and

14 5. WHEREAS, this Court issued a Related Case Order on November 10, 2010, finding
15 that the case known as *Spancion Inc. v. Tessera Inc.*, Case No. C 10-04954 MMC, now known as
16 *Spancion Inc. v. Tessera Inc.*, Case No. C 10-04954 CW (the “Spancion case”), is related to this
17 case; and

18 6. WHEREAS the parties in the AMD, Spancion, and Related Cases, by their
19 undersigned counsel, report to the Court that the current status of the pending International Trade
20 Commission Investigation 337-TA-605 is that the Final Determination is under appeal to the Federal
21 Circuit in Case Number 09-1460. The appeal is now fully briefed and was argued on June 9, 2010,
22 but no decision has issued as of yet, and;

23 7. WHEREAS, since a final resolution of ITC’s 337-TA-605 investigation, including
24 appeals, is still pending, the parties in the AMD case, in the Spancion case, and in the Related Cases
25 believe that it would be most efficient to further postpone (and, in the Spancion case, postpone) the
26 case management conference and related activity in the AMD case, the Spancion case, and the
27 Related Cases until approximately June 7, 2011; and
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1 8. WHEREAS, the parties appearing below agree that there would be no prejudice to the
2 parties in moving the case management conference, as that case is currently stayed;

3 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties
4 appearing below through their undersigned respective attorneys of record, based on the foregoing,
5 and subject to the approval of this Court, that:

6 a. The case management conference currently scheduled for December 14, 2010, at 2:00
7 p.m. in the AMD case shall be rescheduled for **June 7, 2011** at **2:00 p.m.**, or as soon thereafter as
8 the Court is available;

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10
11 Dated this **7th** day of **December**, 2010.



Honorable Claudia Wilken
United States District Judge

1 Dated: December 6, 2010

/s/

Elaine Chow
K&L GATES LLP
Attorneys for plaintiffs SPANSION INC. AND
SPANSION LLC

4 Dated: December 6, 2010

/s/

Trevor Stockinger
IRELL & MANELLA LLP
Attorneys for claimant TESSERA, INC.

1 Concurrence in the filing of this document has been obtained from the signatories listed
2 above.

3
4 Dated: December 6, 2010

/s/

Elaine Chow
K&L GATES LLP
Attorneys for plaintiffs SPANSION INC. AND
SPANSION LLC

1 Pursuant to General Order No. 45, Section X, I hereby attest that I have on file all
2 holographic signatures for any indicated by a “conformed” signature /s/ within the e-filed document.

3
4 Dated: December 6, 2010

/s/

Elaine Chow
K&L GATES LLP
Attorneys for plaintiffs SPANSION
INC. AND SPANSION LLC